



**COUNCILMEMBER DONNA FRYE**  
City of San Diego  
Sixth District

**MEMORANDUM**

**DATE:** July 9, 2009  
**TO:** Council President Ben Hueso  
**FROM:** Councilmember Donna Frye  
**SUBJECT:** Permanent Rules of Council

I am requesting that the following topics regarding how to improve the Permanent Rules of the City Council be docketed at the Rules Committee for discussion. My proposed additions to rules are reflected in **bold type**.

1. Move Table of Contents from pages 35 and 36 to page 1.
2. Rule 2.1: Change the sentence, "*A single consolidated agenda covering the regular Council meeting each week shall be published*" to include "***and made available on the city's website.***"
3. Rule 2.2, Order of Business, Monday at 2:00 p.m.: Switch order of (3) "*Requests for Continuances*" and (4) "*Communications,*" to reflect current practice.
4. Rule 2.2, Order of Business, Monday at 2:00 p.m. Communications: Change to include "***... from City Councilmembers, Mayor, City Attorney and Independent Budget Analyst.***"
5. Rule 2.2, Tuesday at 10:00 a.m.: Change 6 (a), "*Consent Items*" from "*Adoption Agenda*" to item (4), and re-number accordingly.
6. Rule 2.4.3, Consent Agenda, (c): Request City Attorney clarification of any instances in which the approval of a resolution or ordinance would not require a noticed hearing. If none exists, delete.

7. Rule 2.4.3, Consent Agenda (e): After the words, “*but not limited to*” add the words “*annual financial reports and major land use decisions*” and also add at the end of the sentence, “*nor shall Councilmembers be limited in their questioning in such matters.*”
8. Rule 2.4.4, Noticed Hearings: Request City Attorney analysis of the relevance of this section.
9. Rule 2.5 (b), Non-Agenda Items: This rule should be amended as Charter sections 13 & 15 require at least five votes for the Council to take any affirmative action.
10. Rule 2.6.3, Non-Agenda Public Comment: Delete the words “*and address*” in the first sentence. Delete the second sentence, “*All remarks shall be addressed to the Council as a whole and not to any member thereof.*”
11. Rule 2.6.4, Non-Agenda Public Comment: Delete current language and replace with language from California Government Code Section 54954.2 (a) (2): “*No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under California Government Code Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.*”
12. Rule 2.7, Communications Requests to Council: Request City Attorney analysis of this entire section.
13. Request City Attorney analysis regarding the applicability of the City’s Municipal Code to the Redevelopment Agency and Housing Authority as it applies to rules and procedures for those meetings.

Thank you for your attention to this matter.

CC: Honorable City Councilmembers  
Jan Goldsmith, City Attorney  
Andrea Tevlin, Independent Budget Analyst

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